

Command Discipline Report **New Rochelle Police Department**


Officer's Name	Rank	Employee Number	Assignment
Myron Joseph	Sergeant	6866	PSD/Traffic

Investigation has been completed concerning the violation charged herein. The finding and the disciplinary action recommended are indicated below. You may accept the finding and the proposed disciplinary action or decline to accept the finding and the proposed disciplinary action in lieu of a statutory hearing on written charges before a hearing officer.

Summary of Investigation and Disposition of Complaint:

On November 29, 2007 Lieutenant George Marshall discovered that Sergeant Myron Joseph had failed to meet with, nor sign the memorandum books of, Police Officers Ronnie Johnson and Edward Siller. As a result, the fact that the two officers had failed to properly maintain their memorandum books for three months went undetected.

By his actions Sergeant Joseph violated Sections 1.2 and 1.51 of this Department's Rules and Regulations.

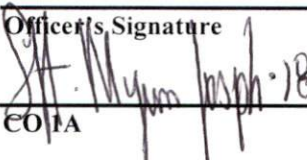
Finding	Disciplinary Action Recommended
Sustained	Loss of two (2) leave days
Signature of Division Commander	Date
	1/9/08

To Be Completed By Officer Charged:

I understand that I do not have to accept the findings and the disciplinary action recommended by my commanding officer. My right to a statutory hearing before a hearing officer has been explained to me and I hereby voluntarily:

(☒) **Accept** the finding and the proposed disciplinary action.

(☐) **Decline** to accept any disciplinary action without a statutory hearing.

Officer's Signature	Date	Witnessed by:
 COJA	1/9/08	CAPT GAZZOLA

TIP
1-16-08

City Of New Rochelle
New York

Interdepartmental communication

To: Sergeant Myron Joseph

From: Captain Robert Gazzola

Subject: Proposed Disciplinary Action

Date: 19 Dec 07

- 1) Attached hereto please find a copy of charges against you alleging misconduct on your part.
- 2) A penalty of a loss of two (2) leave days is proposed.
- 3) You have eight (8) days in which to answer this communication. Such answer shall be on the form attached or in similar form and must be in my office no later than _____.

Should you fail to respond, such failure shall be construed as not contesting the proposed disciplinary action and accepting the proposed penalty therefore without a hearing.

- 4) You have the right to be represented by Counsel and / or other representative of your choosing.

COMPLAINANT'S NAME Lt George Marshall	ADDRESS 475 North Ave	PHONE NO. (HOME & BUSINESS) 654-2221
DATE AND TIME RECEIVED 29 November 2007 1400hrs	COMPLAINT RECEIVED BY Lt Marshall	HOW RECEIVED In person
DATE AND TIME OF OCCURRENCE 29 November 2007 1400hrs	LOCATION OF OCCURRENCE Headquarters/475 North Avenue	
OFFICER(S) INVOLVED Myron Joseph	RANK Sergeant	SHIELD NUMBER(S) 6866
WITNESSES NAME	ADDRESS	PHONE NO. (HOME & BUSINESS)

STATEMENT OF COMPLAINT

Chapter 1.2 of the Rules and Regulations states: members of the Department will perform their assigned duties in a competent manner. Members are accountable for their actions and cannot avoid the responsibilities of their positions. Included within incompetent performance but not limited are the following:

- a) Unwillingness to perform assigned tasks
- b) Failure to conform to work standards established for the member's rank or position
- c) Failure to take appropriate action at an incident needing police attention
- d) Failure to prepare legible and coherent reports
- e) Evaluations showing substandard performance

Chapter 1.51 of the Rules and Regulations states: sergeants assigned to street duty will visit each subordinate under their command, including those assigned to special posts or special details, at least once on each tour of duty. The sergeant will make a record of the inspection by signing the officer's memo book. The record should include the time and location of the "meet" along with the sergeant's signature. The sergeant will also record the "meets" in his or her memo book.

On 29 November 2007 I discovered that Sergeant Myron Joseph violated the above noted chapters of the Rules and Regulations by failing to properly supervise his subordinates by neglecting to "meet" with officers under his command, namely Officers Siller and Johnson. Said officers had failed to properly maintain their memo books during the last three months.

In making this complaint I agree to be available for any Department Trial or Hearing as may come due. I further understand that the making of a false statement in this instrument is punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law of the State of New York.


 SIGNATURE OF COMPLAINANT

Sworn to before me this
 _____ day of _____ 20____

NOTARY PUBLIC, WESTCHESTER COUNTY
 STATE OF NEW YORK